



Fresenius Medical Care

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HEALTH FACILITIES &
SERVICES REVIEW BOARD

October 14, 2013

Courtney Avery
Administrator
Illinois Health Facilities & Services Review Board
525 W. Jefferson Street, 2nd Floor
Springfield, IL 62761

Re: Opposition - Project #13-049 – Nocturnal Dialysis Spa, Villa Park

Dear Ms. Avery:

Fresenius Medical Care opposes the application referenced above for the following reasons:

- It is duplicative of existing services in the 30 minute service area, as there is excess capacity at 28 of the 41 facilities (68%) within 30 minutes of the proposed site (see attached chart showing clinics and utilization).
- It does not offer a service that is otherwise unavailable. As stated at the public hearing on this project both Fresenius and DaVita offer nocturnal dialysis services (Fresenius currently provides nocturnal at its Round Lake and Mokena facilities).
- Fresenius commits to accommodating the 24 patients that Dr. Humayun says he will be able to treat on the nocturnal shift at its Glendale Heights, North Avenue or Melrose Park facilities in the west suburbs. These facilities can also accommodate any current dialysis patients of Dr. Humayun's requesting nocturnal dialysis. The Melrose Park facilities are actually better located given the zip codes of origin that Dr. Humayun's patients are coming from (see map showing zip codes of origin for Dr. Humayun's patients and locations of the proposed Villa Park site and existing facilities).
- Dr. Humayun and his associates admit to and have privileges at Fresenius facilities so they could treat and follow their patients who might choose nocturnal dialysis at a Fresenius facility.

Fresenius Medical Services ♦ North Division

One Westbrook Corporate Center, Suite 1000 Westchester, IL 60154 708-562-0371

- If Dr. Humayan prefers not to work with Fresenius or another company, he owns his own clinic, Maple Avenue Kidney Center in Oak Park, which has the capacity to provide nocturnal dialysis. In fact, 2 of Dr. Humayan's Maple Avenue patients requested nocturnal dialysis at the public hearing. Why doesn't he provide it for them now where they currently dialyze? There is no reason for him to establish a new clinic in Villa Park to offer nocturnal dialysis to his patients who want it. Dr. Humayan is also the Medical Director of Nephron Dialysis Center in Chicago and could offer nocturnal there as well.
- The statements within the application that the proposed clinic would offer some new type of service that is not otherwise available are inaccurate. Nocturnal dialysis has been offered for years and years – it is not a new form of treatment. Most patients do not want to undergo nocturnal dialysis because it takes them away from their homes in the evenings. In addition, it takes longer to administer than “traditional” dialysis, but patients still need to go three times a week. As a result, there is not much demand for it. However, providers of dialysis services do offer nocturnal services at some clinics and group the patients who want it together at these clinics. Usually it is offered at a clinic that has significant capacity on its third shift and the third shift is eliminated, and nocturnal is operated instead. Nocturnal begins at roughly 8 p.m. and patients return home at approximately 4-5 a.m. the following morning. Again, while Fresenius agrees with the information submitted regarding positive outcomes for nocturnal dialysis, there simply is not much demand for this treatment option. Further, the demand most likely will *decrease* as the push toward home dialysis increases.
- We believe that Dr. Humayan's focus on offering nocturnal dialysis is because he knows it would be difficult for him to get a “traditional” dialysis clinic approved in Villa Park, given the underutilization of other facilities in the area. We also believe that he chose the Villa Park location because he owns the building he proposes to establish his dialysis clinic in. It is not the best location choice for a new clinic in the health service area because US Renal Villa Park, less than five miles away, just began operations in February and is only at 38% utilization. Also, we note that the patients he identified are from all over the Chicago metropolitan area – and the project does not seem to serve the general area as required by HFSRB criteria (again, see attachment of map with patient by zip code origin).
- If the application is approved, there is nothing that would prevent the clinic from abandoning the nocturnal focus and simply operating three traditional shifts. The application already confirms the first two shifts will be traditional shifts, despite the excess capacity in the area. While the goal may be to provide nocturnal, given the fact there is not much demand for it, the third shift may not be utilized at all or may just be used for traditional hemodialysis. This would further exacerbate the excess capacity in the area.

Omission of Required Content in Application

- The alternatives section does not address the alternative of referring Dr. Humayun's patients to other clinics, whether Fresenius, DaVita or the US Renal Clinic in Villa Park, for nocturnal or traditional dialysis. Also, the alternatives section does not address why Dr. Humayun and his associates cannot refer patients for nocturnal dialysis to the Maple Avenue Kidney Center owned by Dr. Humayun.
- The application does not provide background information or charity care information, noting the applicant is a newly formed LLC. However, Dr. Humayun owns or is partial owner of three clinics and he should provide background information for those facilities (since he is the owner of the applicant LLC) as well as charity and Medicaid information for those facilities.
- The application states that with respect to nocturnal dialysis, which is presented as the focus of the application despite the fact it would only be one third of clinic operations if it is utilized at all, the clinic can "accommodate" 24 patients. These patients are not identified.
- A physician referral letter is included in the application, but is missing required information – the **physician's** historic referral data from the past three years and the most recent quarter. The applicant states the reason for the omission is that the applicant is a new LLC and therefore no data is available. However, the criterion asks for the physician's data not the LLC data, and Dr. Humayun and his associates have long standing practices for which data is available. This information should have been provided.

Please consider the above information when voting on this application. Our goal is to point out that if the Board approves this clinic, it is approving a traditional, for profit outpatient dialysis facility. It is not approving any new model of care or a facility that will offer something that is not otherwise available. Fresenius, DaVita and US Renal Care have provided evidence that they offer and will offer these services. Furthermore, if Dr. Humayun prefers not to work with one of these companies, he can open a nocturnal shift at his own clinic. The Maple Avenue clinic has capacity and is an area that would easily serve the patients he has identified. The proposed clinic simply is not necessary and duplicates existing services in Villa Park.

Thank you for the opportunity to present this information to the Board.

Sincerely,



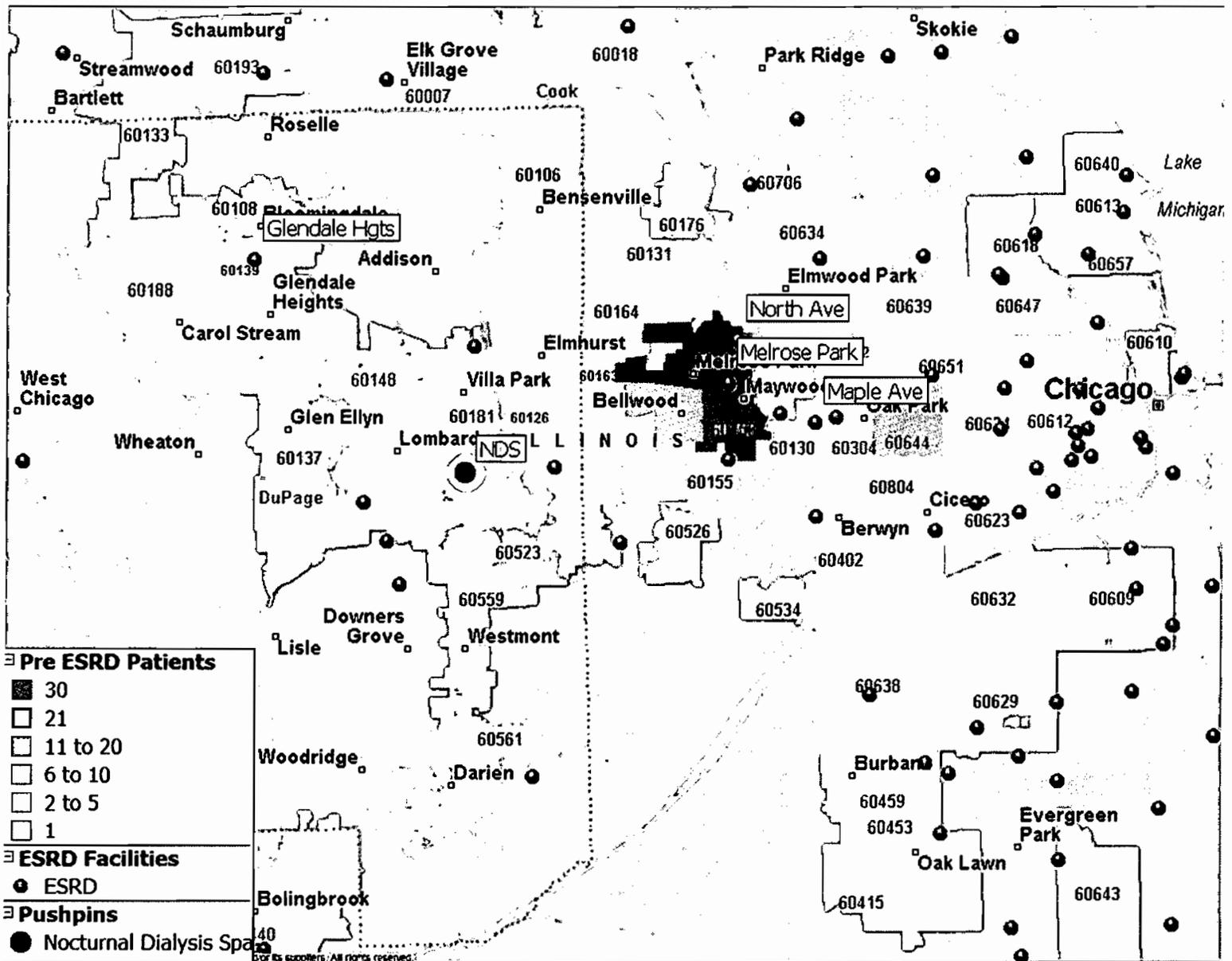
Coleen Muldoon
Regional Vice President

**Facilities within 30-Minutes Travel Time of
Nocturnal Dialysis Spa, Villa Park***

Facility	Address	City	MapQuest Travel		Adj Time MQ x 1.15	Stations	Jun-13 UTL
			Miles	Time			
Fresenius Elmhurst	133 E Brush Hill Rd	Elmhurst	3.11	5	5.75	24	82.64%
USR Villa Park	200 E North Ave	Villa Park	4.44	7	8.05	13	38.46%
Fresenius Lombard	1940 Springer	Lombard	3.47	8	9.2	12	95.83%
Fresenius Westchester	2400 Wolf Rd	Westchester	5.23	8	9.2	20	76.67%
USR Oak Brook	1201 Butterfield Rd	Oak Brook	4	8	9.2	13	28.21%
Fresenius Downers Grove	3825 Highland Ave	Downers Grove	4.39	9	10.35	19	72.81%
Fresenius Willowbrook	6300 Kingery Hwy	Willowbrook	7.12	9	10.35	16	67.50%
Loyola	1201 W Roosevelt Rd	Maywood	7.7	12	13.8	30	71.11%
Maple Avenue Kidney Center	610 S Maple Ave	Oak Park	9.85	14	16.1	18	74.07%
Fresenius Melrose Park	1111 Superior	Melrose Park	9.2	16	18.4	18	62.04%
Fresenius River Forest	103 Forest Ave	River Forest	9.52	16	18.4	20	72.50%
Fresenius Oak Park	733 Madison St	Oak Park	10.73	17	19.55	12	63.89%
Fresenius North Avenue	719 W North Ave	Melrose Park	10.94	18	20.7	24	84.72%
Fresenius Elk Grove	901 Biesterfield	Elk Grove	13.47	19	21.85	28	92.86%
Fresenius Berwyn	2601 Harlem Ave	Berwyn	11.75	19	21.85	26	105.13%
Fresenius West Sub	1 Erie Court	Oak Park	12.49	19	21.85	46	88.04%
Fresenius Glendale Heights	130 E Army Trail Rd	Glendale Heights	10.98	20	23	21	0.00%
Fresenius Congress Parkway	3410 W Van Buren	Chicago	14.5	20	23	30	76.11%
Cook County	1901 W Harrison	Chicago	16.32	21	24.15	9	57.41%
Rush	1643 W Congress Pkwy	Chicago	16.57	21	24.15	5	20.00%
Fresenius Austin	4800 W Chicago Ave	Chicago	14.23	22	25.3	16	66.67%
DaVita Schaumburg	1156 S Roselle	Schaumburg	15.96	23	26.45	20	61.67%
Fresenius Naperville North	516 W 5th Ave	Naperville	12.88	23	26.45	21	60.32%
U of I	1859 W Taylor	Chicago	16.72	23	26.45	26	79.49%
Fresenius Cicero	3000 Cicero Ave	Cicero	14.88	23	26.45	16	1.04%
Fresenius Bolingbrook	329 Remington Blvd	Bolingbrook	17.58	24	27.6	24	84.72%
Circle	1426 W Washington	Chicago	17.06	24	27.6	27	70.99%
Garfield Kidney Center	3250 W Franklin	Chicago	16.3	24	27.6	16	107.29%
Mt. Sinai	2798 W 15th Place	Chicago	16.42	24	27.6	16	89.58%
Fresenius Polk	557 W Polk	Chicago	18.33	24	27.6	24	64.58%
Fresenius Westside	1340 S Damen	Chicago	16.89	24	27.6	31	51.61%
DaVita Westside	1600 W 13th St	Chicago	17.33	24	27.6	12	0.00%
Fresenius Des Plaines	1625 Oakton Place	Des Plaines	15.89	25	28.75	12	1.39%
Fresenius Chicago	1806 Hubbard	Chicago	17.38	25	28.75	21	54.76%
DaVita Little Village	2335 W Cermak	Chicago	17.25	25	28.75	16	101.04%
DaVita Loop	1101 S Canal	Chicago	18.5	25	28.75	28	50.00%
USR Bolingbrook	396 Remington Blvd	Bolingbrook	17.8	25	28.75	13	84.72%
DaVita Lawndale	3934 W 24th St	Chicago	15.26	25	28.75	16	0.00%
Fresenius West Metro	1044 N Mozart	Chicago	16.98	26	29.9	30	93.75%
Fresenius Norridge	4701 N Cumberland	Norridge	17.43	26	29.9	16	73.96%
SAH Dialysis	3059 W 26th St	Chicago	17.25	26	29.9	15	0.00%
Total Stations and Average Clinic Utilization						820	61.79%

*Several inaccuracies were found in the applicant's 30-minute calculation; therefore the above chart has been revised by Fresenius Medical Care to more accurately reflect the 30-minute travel area.

Map of Proposed Nocturnal Dialysis Spa (NDS), Pre-ESRD Patients by Zip Code, Facilities that could accommodate nocturnal dialysis and Dr. Humayun's Maple Avenue Kidney Center



The above map illustrates:

Purple Shaded Areas - the number of Dr. Humayun's pre-ESRD patients per zip code as identified in the application (the darker the color - the higher the concentration). The majority of patients are in the Melrose Park area.

NDS – highlighted green marker is where Dr. Humayun proposes his Nocturnal Dialysis Spa.

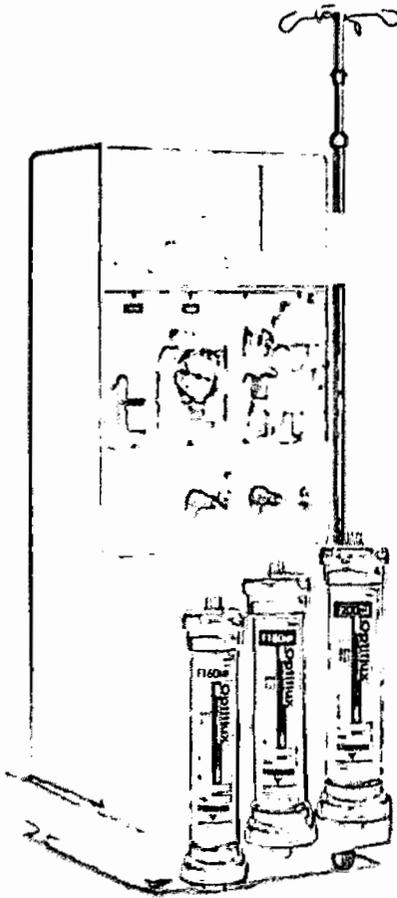
Dialysis providers - all area dialysis facilities are shown as red markers. Noted is Dr. Humayun's Maple Avenue Kidney Center and three Fresenius clinics that could accommodate Dr. Humayun's patients who desire nocturnal. As well, any other facility shown above has the capability to perform nocturnal services.

**The following pages contain information
on hemodialysis options, which is
only a minor portion of the
Fresenius Medical Care
Treatment Options Program***

**presented to all new patients upon
initiation of dialysis.**

Other options included in the program cover:

- **Transplant**
- **Home Hemodialysis**
- **Peritoneal Dialysis**



The Hemodialysis Option

How does hemodialysis work?

- Hemodialysis uses a machine and a tubing set to remove a small amount of blood from your body.
- A vascular access created by a simple surgical procedure allows for your blood to be easily removed through one needle and returned through another.
- The blood outside your body is passed through a filter called a dialyzer or artificial kidney.
- The dialyzer removes the waste products and extra water that has been building up in your body.
- The blood that has been cleansed is then returned to your body.

The 3 types of hemodialysis

- Daytime In-Center
- Nighttime In-Center
- Daytime at Home

You should know that there are 3 different types of hemodialysis

- The most common form is performed at a dialysis facility usually 3 times per week during normal business hours.
- Another form of dialysis performed at dialysis facilities is referred to as In-Center Nocturnal Hemodialysis. Instead of getting your treatments during the day, treatments are performed during the night while you sleep usually 3 times a week.
- The third form of hemodialysis is called Home Hemodialysis. Once

a patient and their dialysis partner are thoroughly trained they can take even greater control over their lifestyles by taking their treatments home.

What do I need to consider about doing hemodialysis at a dialysis facility during the day?

- Since this is the most common form of hemodialysis, patients become part of a community of other patients where social interaction can have a positive influence.



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continued on the other side



Home hemodialysis eliminates three trips per week to a dialysis facility giving active patients greater lifestyle flexibility.

- Some patients want the comfort of knowing that their treatments are being performed by professionally trained clinicians.
- Other patients may not be physically able to perform the steps needed to setup and operate a hemodialysis machine.
- Some patients may not have a partner that allows them to take their hemodialysis treatments home.

What do I need to consider about doing hemodialysis at a dialysis facility during the night?

- Treatments performed during the night allow patients to make use of their days whether it be for work, school, or enjoying the benefits of a more normal lifestyle.
- Treatments performed at night can result in less stress on your body if the dialysis machine is run slower for a longer period of time.
- In-Center Nocturnal Hemodialysis provides a level of patient monitoring by professional clinicians while you sleep.

What do I need to consider about doing hemodialysis at home?

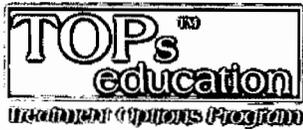
- Home Hemodialysis has many advantages for active patients that are working jobs, going to school or taking care of a busy family.
- The three trips per week to the dialysis facility are eliminated. Usually only a monthly check up visit to your clinic is required.
- Home Hemodialysis patients must have a person such as a spouse, friend or relative to serve as a 'dialysis partner' to provide a level of supervision during treatments.
- Patients homes need to have space to store supplies that are usually delivered on a monthly basis.
- Dedicated space is needed for the hemodialysis machine and a special machine to prepare your local water for use with dialysis.
- The plumbing and electrical system in your home may require changes in order to properly install the hemodialysis equipment.

Speak with your doctor about your hemodialysis options.



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Dialysis Options Comparison

HD = Hemodialysis
 NHD = Night-time Hemodialysis
 PD = Peritoneal Dialysis

Advantages	IN-CENTER		HOME	
	HD	NHD	HD	PD
Treatment time flexibility			✓	✓
Treatment location flexibility			✓	✓
Reduced clinic visit time			✓	✓
Reduced clinic travel time			✓	✓
Reduced clinic travel costs			✓	✓
No treatment partner needed	✓	✓		✓
Greater privacy			✓	✓
Perform treatments during nightly sleep		✓	✓	✓
Freedom during standard work hours		✓	✓	✓
Bloodless access				✓
More independent lifestyle			✓	✓
Greater treatment supervision	✓	✓		
No supply delivery & storage needs	✓	✓		
No routine needle sticks				✓
Greater travel options				✓
No home electrical/plumbing upgrade costs	✓	✓		✓

Note: Together with your nephrologist, who will advise you based on your medical condition, you should seek a treatment option which best suits your medical and lifestyle needs.